Regional Transportation District

RTD

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1600 Blake Street
Denver, Colorado 80202-1399
303/628 9000

July 9, 1986

Louis F. Mraz, Jr., Regional Administrator
Urban Mass Transportation Administration
1050 17th Street, Suite 1822
Denver, Colorado 80202

Attention: Don Cover

Re: Universal Grant Resolution and Legal Counsel Opinion

Dear Lou:

Enclosed are a universal grant resolution and legal counsel opinion for all grant applications for planning, capital, training, demonstration, and operating assistance projects that are submitted to UMTA by the Regional Transportation District (RTD).

The RTD appreciates Region VIII's efforts to reduce paperwork in the grant application process. Please contact me if there are any questions with regard to these documents.

Sincerely,

Candyce Jeffery

Candyce Jeffery
Senior Grants Administrator

CJ:ct
Enclosures

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Regional Transportation District
Department of Legal Counsel

July 1, 1986

1600 Blake Street
Denver, Colorado 80202-1399
303/628 9000

Mr. Chester E. Colby
General Manager
Regional Transportation District
1600 Blake Street
Denver, CO 80202

Dear Mr. Colby:

The undersigned is an attorney at law admitted to practice in the State of Colorado and is Legal Counsel to the Regional Transportation District. This communication will serve as the requisite opinion of counsel to be filed with the Urban Mass Transportation Administration, United States Department of Transportation, in connection with all applications of the Regional Transportation District for financial assistance pursuant to the Urban Mass Transportation Act of 1964, as amended (the "Act"), for planning, capital, training, demonstration, and/or operating assistance projects. The legal authority for the Regional Transportation District's ability to carry out the projects is set forth generally in the Regional Transportation District Act, Section 32-9-101, et seq., C.R.S. 1973, as amended. Specific authority provided in the Act cited below:

1. The Regional Transportation District is authorized to establish, develop, maintain and operate a mass transportation system for the benefit of the inhabitants of the District subject to an authorizing election regarding bonded indebtedness, which election was held and such indebtedness approved by the voters of the said District on September 7, 1973, (Sections 32-9-107(1) and 32-9-108, C.R.S. 1973, as amended.

2. The Regional Transportation District is authorized to accept grants or loans from the Federal Government, to enter into contracts, cooperate and do any and all things necessary, not inconsistent with state laws, in order to obtain aid, assistance and cooperation under Federal legislation. (Section 32-9-119(1)(q), C.R.S. 1973, as amended.)

3. The Regional Transportation District is authorized to levy uniformly throughout the District a sales tax at the rate of 6/10 of one percent of taxable transactions, except food and utilities, to provide revenue to finance the operations of the District, to defray the cost of planning, capital, training, demonstration projects,

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construction for capital improvements and acquisition of capital equipment. (Section 32-9-119(2), C.R.S. 1973, as amended.)

4. I have reviewed the pertinent Federal, State and local laws, and I am of the opinion that there is no legal impediment to your making applications for financial assistance pursuant to the Act. Furthermore, as a result of my examinations, I find there is no pending or threatened litigation which might in any way adversely affect any proposed project, or the ability of the Regional Transportation District to carry out the projects.

Sincerely,

John R. Kennedy
Legal Counsel

REGIONAL TRANSPORTATION DISTRICT
RESOLUTION NUMBER 9 , SERIES OF 1986

Resolution authorizing the filing of all applications with the Department of Transportation, United States of America, for planning, capital, training, demonstration, and/or operating assistance grants under the Urban Mass Transportation Act of 1964, as amended.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

WHEREAS, the Regional Transportation District is a duly created political subdivision of the State of Colorado, having the authority to accept grants from the Federal Government and to enter into contracts in order to obtain aid, assistance, and cooperation under Federal legislation; and

WHEREAS, contracts for financial assistance will impose certain obligations upon the Regional Transportation District, including the provision by it of the local share of the project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of all applications for financial assistance, under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and other pertinent directives and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Regional Transportation District that minority business enterprises (disadvantaged business enterprises and women business enterprises) be utilized to the fullest extent possible in connection with all projects, and definitive procedures

shall be established and administered to ensure that minority business enterprises shall have the maximum feasible opportunity to compete for construction contracts, supplies and equipment contracts, and to provide consultant and other services;

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Regional Transportation District:

1. That the Chairman of the Board of Directors of the Regional Transportation District, is authorized to execute and file all applications on behalf of the Regional Transportation District with the U.S. Department of Transportation, to aid in the financing of all planning, capital, training, demonstration, and/or operating assistance projects.

2. That the General Manager for the Regional Transportation District, is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of the proposed projects.

3. That the General Manager for the Regional Transportation District is designated to furnish such additional information as the U.S. Department of Transportation may require in connection with all the applications.

4. That the General Manager for the Regional Transportation District is authorized to set forth and execute minority business enterprise (disadvantaged enterprise business and women business enterprise) policies and procedures in connection with procurement needs of all projects.

5. That the Chairman of the Board of Directors of the Regional Transportation District, is authorized to accept and execute all grant agreements on behalf of the Regional Transportation District

with the U.S. Department of Transportation to aid in the financing of all planning, capital, training, demonstration, and/or operating assistance projects.

Passed and adopted this 1st day of July, 1986.

REGIONAL TRANSPORTATION DISTRICT

J. Bear Baker, Secretary
Board of Directors

William B. Rourke, Chairman
Board of Directors

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CERTIFICATE

The undersigned duly qualified Custodian of Records for the Board of Directors of the Regional Transportation District certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of Directors of the Regional Transportation District held on July 1, 1986.

REGIONAL TRANSPORTATION DISTRICT

Connie Morrill

Connie Morrill
Custodian of Records

Date July 9, 1986